

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ARTHUR CARSON,

Plaintiff,

v.

Civil Action No. 3:10-CV-1523-G-BK

OFFICER KELLY, et al.,

Defendants.

ORDER

This cause came before the Court on Plaintiff's *Motion for Default Judgment* against Defendant Kelly. (Doc. 28). Plaintiff states that a default was entered against Defendant Kelly when Kelly failed to answer or otherwise defend against Plaintiff's complaint. However, a review of the docket sheet reveals that no default has been entered against Defendant Kelly, and Kelly filed a *Motion to Dismiss* Plaintiff's complaint on March 17, 2011. (Doc. 25). Accordingly, Plaintiff's *Motion for Default Judgment* (Doc. 28) is **DENIED**.

SO ORDERED on March 24, 2011.



RENÉE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE